

**OFFICE OF AUDITS AND COMPLIANCE**

1515 S Street, Sacramento, CA 95814  
P.O. Box 942883  
Sacramento, CA 94283-0001



Sushma Taylor, Ph.D., Chief Executive Officer  
Center Point, Inc.  
135 Paul Drive  
San Rafael, CA 94903

Dear Dr. Taylor:

The California Department of Corrections and Rehabilitation's (CDCR) Office of Audits and Compliance (OAC) completed a program compliance audit of contract number C05.002 between CDCR and Center Point, Inc. The audit fieldwork was conducted during the period of November 5 through November 29, 2007. The audit covered the period of July 1, 2006 through June 30, 2007.

Enclosed is a copy of the final audit report. This report includes your response and our comments to your response. Should you have questions or require additional information regarding the contents of this report, please contact Timothy Adams, Supervising Management Auditor, OAC, at (916) 358-2625.

Sincerely,

RICHARD C. KRUPP, Ph.D.  
Assistant Secretary  
Office of Audits and Compliance

Enclosure

cc: Laura Lambe, Center Point  
Tracy Wells, Family Foundations Program, San Diego  
Tim Adams, OAC

Sushma Taylor, Ph.D., Chief Executive Officer  
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bcc: Sharon Candalot, OAC  
Sue Lupinetti, OAC  
Wendy Still, Division of Adult Institutions  
Dalinda Harman, Chief, WCSU  
OAC Chron  
Audits Branch File 08-F900-36  
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PROGRAM COMPLIANCE AUDIT  
CENTER POINT, INC.



## FINAL AUDIT REPORT

Prepared by:

California Department of Corrections and Rehabilitation  
Office of Audits and Compliance

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June 2008

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CENTER POINT, INC.

CONTRACT NUMBER C05.002

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Office of Audits and Compliance  
Timothy Adams, Supervising Management Auditor  
Sharon Candalot, Staff Management Auditor  
Sue Lupinetti, Management Auditor

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## AUDITOR'S REPORT

Sushma Taylor, Ph.D., Chief Executive Officer  
Center Point, Inc.  
135 Paul Drive  
San Rafael, CA 94903

Dear Dr. Taylor:

The California Department of Corrections and Rehabilitation's (CDCR) Office of Audits and Compliance, Audits Branch completed a program compliance audit of contract number C05.002 between Center Point, Inc. (Center Point) and the CDCR.

Under the terms of the agreement, the contractor agreed to provide an intensive residential substance abuse treatment program for pregnant women and women with children sentenced under Penal Code, Section 1174. The contractor agreed to be the sole provider of services for the Family Foundation Program (FFP) in San Diego, California.

The Audits Branch conducted the audit in accordance with generally accepted governmental auditing standards, including tests of controls and other such auditing procedures considered necessary under the circumstances.

The scope of the audit was limited to program compliance activities for the fiscal year 2006/07. Audit fieldwork was conducted during the period of November 5, 2007 through November 29, 2007.

The specific objectives of the audit were to determine if:

- Center Point complied with the terms and conditions of contract number C05.002 and Penal Code, Section 1174.
- Center Point rendered the services and programming provisions per the contract agreement.

The procedures performed in the audit included:

- A review of the policies and procedures to determine if Center Point rendered the services required per contract number C05.002.

- A review of policies and procedures to determine compliance with Penal Code, Section 1174.

The Audits Branch identified five findings and three observations in the following areas: safety and security, facility operations, programming, personnel, and medical services. Observations highlight certain areas that may be of interest to users of the audit report. Observations differ from audit findings in that they may not include attributes (condition, effect, criteria, cause, and recommendation) that are presented in audit findings. Because the audit was limited to selected test periods, the Audits Branch does not express an opinion on the contractor's internal controls or contract compliance as a whole.

RICHARD C. KRUPP, Ph.D.  
Assistant Secretary  
Office of Audits and Compliance

January 31, 2008 (last date of field work)

# EXECUTIVE SUMMARY

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CDCR contracted with Center Point under contract number C05.002 to manage the FFP in San Diego, California. This program is mandated by Penal Code, Section 1174 to provide a residential substance abuse treatment program for pregnant women and women with their children. The Audits Branch performed a program compliance audit of Center Point for the contract period of July 1, 2006 through June 30, 2007 and identified five areas of program deficiencies. The findings and observations are summarized below and are discussed in more detail in the Findings and Recommendations section and Observations and Recommendations sections of this report.

In Center Point's response to the preliminary report, they responded to a selection of the Audits Branch's recommendations but did not address the actual and/or more critical findings and observations. Center Point's responses are summarized below. Their complete response can be found in the back of this report as an Attachment. This contract was cancelled by CDCR's Women and Children's Services Unit (WCSU) on April 27, 2008.

## **FINDING 1: Safety and Security**

Center Point did not comply with the contract's insurance requirements for facility drivers. Center Point's internal controls involving urinalysis testing were weak. The urinalysis record keeping was incomplete, the tests were not performed timely or accurately as required by the contract, and test results were not recorded.

### **CENTER POINT'S RESPONSE:**

#### **1. Insurance**

Center Point's insurance company conducts an annual review of each employee's Department of Motor Vehicle (DMV) status.

#### **2. Urinalysis**

Any of the urinalysis testing inconsistencies noted during the audit can be attributed to the varying, and at times contradictory, directions received by CDCR staff. The contractor agrees that urinalysis testing should comply with CDCR procedures and are happy to comply if directions are clear and consistent.

### **THE AUDITS BRANCH'S COMMENTS:**

#### **1. Insurance**

The Audits Branch does not dispute the schedule on which the insurance company performs a cursory review. Center Point's corporate office furnished the Audits Branch with a faxed document directly from the insurance company outlining the criteria by which they use to insure drivers. The insurance company's criterion does not adhere to the contract language.



## 2. Urinalysis

The Audits Branch is in possession of a memorandum written by a Center Point's vice president, dated December 6, 2006, states in part: "It is come to my attention that, despite extensive training and retraining, staff are repeatedly failing to correctly follow the procedures for client urinalysis collection and recording . . . . I want to be perfectly clear, Center Point will not tolerate staff negligence . . . we will not tolerate continued disregard for collection procedures which result in invalid tests, and often, unnecessary costs for the CDCR."

The content of Center Point's memorandum leads the Audits Branch to believe the directions for urinalysis testing are clear.

### **FINDING 2: Facility Operations**

Center Point was deficient in meeting the contract requirements for both the procedure manual and personnel manual.

#### **CENTER POINT'S RESPONSE:**

Documents, protocols and procedures specific to FFP are incorporated in other FFP specific manuals, which are disseminated to staff and volunteers and are available for review at this facility.

#### **THE AUDITS BRANCH'S COMMENTS:**

During fieldwork, the Audits Branch reviewed manuals provided by Center Point's staff. The Audits Branch found the manuals deficient in the areas outlined in Finding 2.

### **FINDING 3: Programming**

Center Point was not in compliance with the following contractual programming requirements: (1) hourly programming requirements; (2) offering the required courses; (3) the use of case management teams; and (4) transition planning. Center Point was not in compliance with the WCSU's directives in that the inmate assistants working in the childcare area are not trained in CPR.

#### **CENTER POINT'S RESPONSE:**

##### 1. Contractually Required Classes

As stated in the audit report, Center Point's schedule of activities exceeds the number of required programming hours.

## 2. Transition Planning

Each participant works with the treatment/case management team to develop and ultimately complete their Continuing Care Plan.

## 3. Case Management Team

Each participant is assigned a primary counselor who meets regularly with the client providing assessment, individual counseling sessions, treatment planning, preparation for community reintegration....this team approach is informal case review between professionals and more formally at the weekly team meetings, when case conferences are held with all members of the case management team present.

## 4. Children's Programming

A child development assistant had been using her own funds to purchase supplies for childcare. This is not true and was not authorized.

## 5. Playground Equipment

In February, Center Point purchased five heavy duty tricycles, safety helmets, and over \$2,000 worth of toys.

## 6. Inmates Working in Childcare Unsupervised

Women and children are not permitted in the childcare center without staff present...we do not understand the employee's statement that inmates were not supervised.

## 7. Class Titles

Titles of the group/classes on the FFP/San Diego weekly activity schedule were accepted and approved as part of Center Point's proposal for the current contract period.

# THE AUDITS BRANCH'S COMMENTS:

## 1. Contractually Required Classes

As stated in the draft audit report on page 8, Center Point was not in compliance in either of the two test months. Many of the inmates were unable to attend the scheduled classes due to medical appointments or lay-ins, child care duty, or chores.

## 2. Transition Planning

Of the cases tested, the Audits Branch found six out of nine instances where inmates did not have the transition care plan in file and the remaining three inmates tested had not been in the program long enough to start a transition care plan.

## 3. Case Management Team

During fieldwork, the Audits Branch interviewed a Center Point executive vice president, a substance abuse counselor, and a marriage and family therapist (MFT) intern, all of whom stated the case management team did not exist. The executive

vice president told the Audits Branch the only time a case was discussed was in a round table forum for disciplinary issues.

#### 4. Children's Programming

The employee in question stated she had used her own funds. The Audits Branch believes the employee was truthful. The Audits Branch does not dispute the fact that Center Point did not authorize this action.

#### 5. Playground Equipment

Fieldwork for this audit began in October and concluded in January. During that time, such equipment had not been purchased. During the informal exit review, the Audits Branch manager discussed the lack of playground equipment with a Center Point vice president. The vice president told the Audits Branch they were hesitant about buying new equipment, as they did not want to purchase something the children could get hurt on given the on-going police investigation.

In a report dated March 15, 2008 to CDCR executive staff by consultant, Sharrell Blakely, states: "She (Blakeley) requested that the provider purchase new bikes and toys for the child care center and new purchases were made....it appears that unless Center Point is instructed to do something, they are reluctant to do so."

#### 6. Inmates Working in Childcare Unsupervised

The Audits Branch interviewed Center Point staff in childcare and inmates whose children were in childcare. It was reported to the Audits Branch by childcare staff and inmates that inmates have worked in childcare unsupervised on occasion.

#### 7. Class Titles

The Audits Branch was not provided with a copy of the accepted and approved document to which Center Point refers.

### **FINDING 4: Personnel**

Center Point was out of compliance with the following contractual personnel requirements: (1) key positions remain vacant; (2) personnel hired do not meet the minimum job requirements; (3) annual and new hire training requirements are not met; (4) the personnel records do not reflect tuberculosis (TB) clearance for all employees; (5) weekly staff sign-in roster is not submitted to WCSU; and (6) internal controls involving record keeping are weak.

### **CENTER POINT'S RESPONSE:**

#### 1. Training

Center Point's schedule and/or planned cycle of trainings was pushed back and rescheduled in order to accommodate the more critical and pressing training needs regarding medical response and medical care procedures.

## 2. Validity of Training

The Center Point administrator who provided the training on medical procedures is also the administrator for Center Point's fully licensed medical clinic.

## 3. Personnel Vacancies

### a. Licensed Clinical Social Worker (LCSW)

Center Point has experienced great difficulty in hiring a LCSW or MFT within the budgeted amount.

### b. Child Development Specialist (CDS)

A CDS was hired on November 20, 2007.

### c. Childcare Assistant and Evening Facility Manager

This part-time position is not difficult to fill. The evening facility manager position is being filled by a temporary staff member.

### d. Contractually Required Job Duties

Center Point's personnel records for our 400 employees are maintained at the corporate headquarters in San Rafael. This has been the procedure for over 35 years . . . program managers at remote sites may keep skeleton files with basic pertinent information.

### e. TB Testing

With respect to the recommendation that all staff should be tested for TB in the same month, Center Point has attempted to initiate the practice but the Agency received too many grievance notices from newer staff who did not wish to test twice within a short time frame

## THE AUDITS BRANCH'S COMMENTS:

### 1. Training

The training requirements are on an annual basis; thus, Center Point had 12 months in which to complete it. They failed to meet these requirements.

### 2. Validity of Training

A medical class should be taught by a trained medical professional, not an administrator.

### 3. Personnel Vacancies

#### a. LCSW

Center Point created the budget used during the bid process. In their request for proposal (RFP) they stated that they could provide services as outlined in the RFP. The LCSW position was outlined in the proposal. They failed to maintain personnel in a very critical position.

- b. CDS  
This occurred after the Audits Branch's fieldwork.
- c. Childcare Assistant and Evening Facility Manager  
The Audits Branch accepts the explanation on the childcare assistant and evening facility manager.
- d. Contractually Required Job Duties  
The contract specifically states that the personnel files are to remain on the FFP premises.
- e. TB Testing  
Center Point failed to address the finding that they were not in compliance with the TB testing requirements of the contract. This is a condition of employment.

There were numerous findings in this section of the preliminary report that Center Point did not provide a response.

#### **FINDING 5: Medical**

Inmates are not receiving the full benefit of the FFP due to an ineffective medical system.

#### **CENTER POINT'S RESPONSE:**

Center Point agrees with the auditors that the current medical system at FFP is burdensome and disruptive to daily schedules.

Center Point refutes all statements made by inmates as outlined on page 22 of the draft report.

#### **OBSERVATION 1: Safety and Security**

Center Point's disciplinary philosophy for the community affects the children's activities and the mother/child bonding time.

#### **CENTER POINT'S RESPONSE:**

Center Point employs the Therapeutic Community approach to treatment, as required by the RFP.

#### **THE AUDITS BRANCH'S COMMENTS:**

A CDCR consultant and the original program director over the FFPs stated in a meeting that Center Point was using outdated therapeutic modalities when the Audits Branch described Center Point's disciplinary process.

## **OBSERVATION 2: Facility Operations**

Center Point's policies involving food service are too rigid, and the food served was not always appropriate for the children.

### **CENTER POINT'S RESPONSE:**

Center Point maintains a wide range of baby food including vegetables, meat courses, fruits, and desserts.

### **THE AUDITS BRANCH'S COMMENTS:**

During the audit the Audits Branch found that Center Point's documents stated: "Children will receive solid food from the adult menu pureed or mashed."

## **OBSERVATION 3: Programming**

Center Point is using a questionable therapeutic modality for community building. Children living at the facility do not have sufficient age appropriate toys.

### **CENTER POINT'S RESPONSE:**

#### Phase Advancement

The statement that clients determine the progression of another client through the program is false.

#### Twelve Step

Center Point offers an introduction to the Twelve Steps in the entirety through a class called, "A Woman's Way Through the Twelve Steps." While it is very important to speak with consumers in any audit, it would benefit those conducting the audit to speak with staff and particularly with staff who have been with the program for awhile.

### **THE AUDITS BRANCH'S COMMENTS:**

The Audits Branch's evidence gathering techniques are derived from a variety of sources: interviews with staff, inmates, police investigators, written documentation, and observations. Inquires made to staff are helpful, but the other techniques are necessary in order to corroborate the information obtained from Center Point's staff.

## BACKGROUND

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The CDCR opened its second FFP facility on November 13, 2000, in San Diego, California.

Women sent to the FFP are sentenced under Penal Code, Section 1174, known as the Pregnant and Parenting Women's Alternative Sentencing Program Act. To be eligible for the program, women must have a history of substance abuse; be pregnant or parenting a child less than six years of age; cannot have a violent criminal history; and cannot have a sentence of more than three years.

Inmates in the FFP spend twelve months in a residential substance abuse program followed by twelve months on parole. The goal of the program is to reduce the incidence of drug relapse, child abuse, criminal activity, and the recidivism rate of women paroling from CDCR.

To be accepted into this program, women must participate in therapeutic modalities designed to improve their coping skills; help defeat their substance abuse problems; and enhance their parenting skills.

The facility, built by CDCR in 1998, is 27,650 square feet with seven pods/dorms, which can accommodate 35 women and 40 children. Each pod contains four bedrooms, two bathrooms and a common sitting area. The facility also has a living room, laundry room, an industrial kitchen, a nursery/daycare facility, vocational training room, nurse's station, and fenced-in playground for the children.

Since its inception, the FFP San Diego facility has been under the direction of Center Point. Center Point has been awarded consecutive contracts; the first contract was from December 1999 to June 2005, and the current contract (C05.002) began July 2005 and is in effect through June 2010. Contract number C05.002 was cancelled by CDCR's WCSU on April 27, 2008.

# FINDINGS AND RECOMMENDATIONS

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## **FINDING 1: Safety and Security**

### **Insurance Requirements**

Center Point does not use the same criteria for insuring designated drivers as CDCR. To transport inmates and children, the contract specifically requires:

- A class C driver license (class B preferred).
- No tickets or arrests for driving under the influence (DUI) within five years.
- No at fault accidents within the last three years.

Center Point will insure drivers with:

- No more than two at fault accidents in the past three years.
- No DUI within the past four years.

One former employee, required by her job description to drive, had an at fault accident within three years. Additionally, two former employees hired into jobs that required them to drive had no evidence of driver's license in file; rather, they both held California identification cards.

### **Urinalysis/Temporary Community Leave**

There are internal control weaknesses involving record keeping. The completed urinalysis testing form and the drug screening test results log are filed in the inmates' file. The daily count report is in one binder and the off grounds trip authorization log is in a separate binder. There are four pieces of paper in different locations to track the comings and goings of inmates.

Out of the 28 entries examined, 13 or 46 percent (13÷28) had exceptions based on the documentation reviewed. The infractions and number of exceptions are as follows:

Urinalysis test performed before leaving the facility.	2
Urinalysis test performed before inmate returned to the facility.	1
Event not reported on daily activity report/unable to determine timeliness of UA sample.	2
Results not recorded on results log.	6
Inconsistent military time usage.	2

In a memorandum from a Center Point executive to the FFP staff dated December 6, 2006, the staff was chastised for inattention to: “. . . maintaining procedures, regulations and ethics.”



The Audits Branch interviewed inmates who said depending on which Center Point employee was driving determined whether urinalysis testing and searches were performed.

### **CRITERIA:**

Per contract number C05.002: Exhibit A, D, 1, Page 12: "Staff who drive for the FFP must 1) possess a valid Class C Driver's License (Class B preferred), 2) have no record of tickets or arrest for DUI in the last five years, and 3) have no accidents with the last three years for which the staff was responsible."

Per contract C05.002; Exhibit A, 10, E, 1, the contractor will:

- e. "Maintain a log to document all inmate/child movement outside of the facility."
- k. "Approve and maintain records on each woman's Temporary Community Leave pass requests."
- d. "Perform random urinalysis and conduct routine urinalysis on women returning to the facility."

A crucial element of adequate internal controls involves maintaining a reliable record keeping system that helps ensure the accuracy and integrity of data.

### **RECOMMENDATIONS:**

- Ensure that the insurance company uses CDCR criteria for insuring and approving drivers.
- Center Point's managers should review DMV print outs for each employee on an annual basis. All documentation should be signed and dated when reviewed and copies maintained in personnel files.
- Urinalysis testing should adhere to CDCR requirements.
- All Center Point employees should follow safety requirements mandated by contract.
- Devise a comprehensive spreadsheet system to track urinalysis testing/leave passes that allows reader/investigator to track process easily. Place appropriate paperwork in inmate files.

### **FINDING 2: Facility Operations**

#### **Contractually Required Manuals**

The contractor is required to maintain policy and procedure manuals according to the contract. Center Point's procedures manual and personnel manual are deficient in the following areas:

### Procedures Manual

- Emergency operations plan for major disturbances and natural disasters.
- Inmate property inventory
- Smoking policy
- Inmate holding area

### Personnel Manual

- Job descriptions were not in the manual (they were in the operations manual at FFP)
- Annual in-service training
- Employee job action
- Citizen volunteers
- Food consumption

### **CRITERIA:**

Per contract number C05.002, Exhibit A, 8, a: "The contractor must develop and maintain a written policy and procedures manual . . . the manual must address every aspect of the facility's daily operation."

Per contract number C05.002, Exhibit A, 8, b: "The contractor must develop and maintain a personnel manual."

### **RECOMMENDATIONS:**

Adhere to contract requirements regarding the procedures and personnel manuals.

### **FINDING 3: Programming**

#### **Contractually Required Classes**

The contract is specific on required class subjects and required hours each week. The contractual required programming is as follows:

- |   |                           |
|---|---------------------------|
| • Intensive substance abuse education, structured relapsed prevention, cognitive restructuring; | 10 hrs per week           |
| • Twelve Step Program;  | 3 hrs per week            |
| • Recreational relaxation training;   | 3 hrs per week            |
| • Individual counseling sessions;   | 1 hr per week             |
| • Clinically oriented group for women's issues;   | 3 hrs per week            |
| • Developmentally sequenced parenting groups;   | 2 hrs per week            |
| • Women-specific health issues groups;  | 1 hr per week             |
| • Supervised mother/child bonding; and  | 2 hrs per week            |
| • Vocational educational classes.   | <u>6 hrs per week</u>     |
|   | 31 hrs per week           |
|   | (or 124 per month 31 X 4) |

## Supervised Mother/Child Bonding

Inmates were interviewed for the purpose of verifying the two hours of supervised mother-child bonding. Inmates stated that the supervised bonding never took place. The hours Center Point classified as mother-child bonding were spent either catching up on essay writing, cleaning, or babysitting so another inmate could write or clean. The Audits Branch did not find evidence (sign-in sheet) or documentation that Center Point was in compliance with this requirement.

## Recreation/Relaxation Training

Center Point's handwritten class schedule indicated 10.5 hours of recreational time was to be provided each week. The recreational time outlined was to take place during the inmates' free time on Saturday and Sunday, and it does not meet the contract requirement for three hours of recreation/relaxation training. There was no evidence of recreation/relaxation classes being provided. Inmates told the auditors that there were no such classes. Furthermore, Center Point does not have any exercise equipment. They only have antiquated VHS exercise tapes for the women to check out on their free time.

## Class Offerings

Numerous binders had to be reviewed to gather programming information. The lack of a comprehensive spreadsheet and a diagram indicating which Center Point course met contract subject areas (such as, intensive substance abuse education, structured relapsed prevention, cognitive restructuring) is an internal control weakness, as their system is too cumbersome to be effective. The inmates' files did not contain documentation verifying attendance at the required classes.

## **Center Point's Course Offerings**

The following documents were reviewed to evaluate contract compliance with required classes and inmate attendance:

- Center Point's daily activity schedule.
- A schedule that was handwritten by a Center Point executive.
- The class sign in sheets.

According to Center Point's daily activity schedule dated January 3, 2007, there was 6 hours and 15 minutes of class time. A Center Point executive provided a handwritten class schedule showing 33.5 programming hours per week or 134 hours per month (33.5 x 4), which would exceed required programming hours in all areas. Center Point's schedule had 21 different courses listed (not including recreation).

The programming hours were totaled by adding the hours listed on the sign-in sheets for each class. These totals did not reconcile with Center Point's hours appearing on the daily activity schedule and the handwritten schedule.

The accuracy of the scheduled times and the reliability of the data on the sign-in sheets is questionable, as the beginning and ending times and the length of the classes were not recorded.

Based upon the provisions of the contract, the contractor is required to provide the women at least 31 hours of programming classes per week. The auditors reviewed programming hours provided for the months of March and June 2007. The total hours for the two months are shown below.

March			June	
Week of	Hours		Week of	Hours
2-26	11.25		5-28	4.75
3-5	21.75		6-4	19.75
3-12	20		6-11	1.75
3-19	19		6-18	22.75
3-31	21.75		6-25	21.75
group check-in hours for the month	11		group check-in hours for the month	8.5
1:1 counseling hours for the month	<u>12.5</u>		1:1 counseling hours for the month	<u>*10.5</u>
<b>Total</b>	<b>117.25</b>		<b>Total</b>	<b>89.75</b>

\* 2.5 hours are questionable, as the client did not sign indicating her participation. Inmates told auditors they were often asked to sign stating they had 1:1 counseling when, in fact, they did not.

Classes	March	June
Contractually required	124	124
Center Point class hours held	117.25	89.75
Class hours short for month	6.75	34.25

For the month of June there was a four-day community lay-in, which would explain the disparity between the two months. Nonetheless, Center Point was not in compliance for either month.

### Inmates' Hours of Class Participation

Eleven women were selected for testing. Two of the women did not arrive at the FFP until after the test period. Another inmate was out of the program for 7 months due to a court case. Illustrated below are the results for the eight women tested (note: Inmate X-20528 arrived at FFP on June 1, thus she was not in-house for the March test period).

CDCR #	March	June
X-09098	45.50	50.30
X-23176	56	37
X-20501	70.25	36.5
X-02980	44.55	16.80
W-85206	59	*15.3
X-08003	62	41
X-20528	---	36
X-09096	53	62.80

As illustrated above, none of the inmates tested met the contractually required number of hours for the months of March and June (124 or 31 x 4), nor did a single inmate

attend all of the class hours offered by Center Point during those periods (117.25 and 89.75).

### Explanation for Lack of Programming

The women missed classes for a variety of reasons, such as illness (theirs or their child), medical appointments, lay-ins, child care duty, and chores.

The contract states: "The contractor is to schedule all transportation needs in a manner that is not disruptive to core programming and is an efficient use of staff time." It is impossible to meet this requirement as the FFP's medical hub is at the California Institution for Women (CIW), located in Corona. The prison is 99 miles (one-way) from San Diego. Without factoring in traffic, it is approximately a two hour drive one way. Additionally, the inmates have to go through receiving and release (stripped, searched, and issued different clothing), have a custody escort while at the prison, and wait their turn for the medical appointment/procedure.

This is an all day trip. Ironically, inmates could have an appointment with a general practitioner on Monday, only to return to CIW on Wednesday to see a dentist. While one inmate may have an early appointment, another inmate may have to wait for lab results, thus keeping the entire group at CIW all day. According to a report from the FFP, there were 118 medical appointments for the month of September 2007.

As a result, the inmates are unable to program, the children are not being cared for by their mothers, and the children are left in daycare to be babysat by other inmates and staff.

### **Transition Planning**

Transition planning or aftercare plan is a contract requirement. The plan is to be developed in the first six months of the program, and a written plan no later than the seventh month. The following files were out of compliance:

<b>CDCR #</b>	<b>Reason for Non-Compliance</b>
X-21612	Inmate was out to court on an unrelated case for 7 months.
X-09098	Plan partially completed.
X-23172	None
X-02980	None
X-20533	Has not been in the program long enough.
W-85206	None
X-03723	Has not been in the program long enough.
X-20528	Has not been in the program long enough.
X-09096	None

Three of the women were in the program less than six months. One inmate had a transition plan with notes that indicated it was actively being worked on. The remaining four shown above did not have notes as to why a transition plan was not started.

Inmate X-21612 was out to court on an unrelated case for 7 months; however, she was released (graduated) from this program after spending 5 of the 12 months at the FFP. It is difficult to believe that the inmate completed the court mandated, 12-month program, in 5 months. According to the Program Directives, the inmate should have been returned to prison as the inmate failed to participate in programming for a substantial period of time. Additionally, during the five months the inmate was in the program, her child was not in the program.

### **Childrens' Programming**

During audit fieldwork, a childcare assistant was acting in the role of childcare specialist. The former specialist had her gate clearance revoked, as she is involved in the San Diego Police investigation for felony child abuse. The assistant said resources are scarce in the childcare area. For example, there were seven tricycles when she started with the program, now there are three, all of which should be discarded. The assistant also said she has been using personal funds to purchase supplies for the childcare area. For the fiscal year 2006/07, the program supply budget was \$6,000. At year-end Center Point had spent \$410, or 7 percent ( $410 \div 6000$ ). Center Point is not utilizing the budgeted funds appropriately.

The Center Point Vice President was questioned about the tricycles. He stated that Center Point was looking into replacing them, but that the company was hesitant. According to the company executive, Center Point does not want to be in the position of providing playground equipment that a child might get hurt on, given the on-going police investigation. The auditors pointed out that there is similar equipment furnished on every playground, and with proper supervision, accidents should be minor and infrequent.

Inmates working in childcare are not cardiopulmonary resuscitation (CPR) trained which is required in the program directives. The Audits Branch did not find any evidence of CPR training being provided, as required for the inmates. Moreover, inmates who were interviewed expressed concern over this issue. As mothers, they are concerned about who is working with and watching their children.

Center Point employees told the auditors that inmates were not always supervised while working in the childcare center, as required in the contract.

### **CRITERIA:**

Per contract number C05.002, Exhibit A 7, Request for Proposal, page 9: "At a minimum, the women's program must include the following program hours:

- Intensive substance abuse education, structured relapsed prevention, cognitive restructuring; 10 hrs per week
- Twelve Step Program; 3 hrs per week
- Recreational relaxation training; 3 hrs per week
- Individual counseling sessions; 1 hr per week
- Clinically oriented group for women's issues; 3 hrs per week
- Developmentally sequenced parenting groups; 2 hrs per week
- Women-specific health issues groups; 1 hr per week
- Supervised mother/child bonding; and 2 hrs per week
- Vocational educational classes. 6 hrs per week

Per contract number C05.002, Exhibit A. 10: "The contractor is to schedule all transportation needs in a manner that is not disruptive to core programming and is an efficient use of staff time."

Per contract number C05.002, Exhibit A, 9: "Transition planning must begin in the first six months of the program with a written plan developed no later than the seventh month."

Per the Government Code, Section 13401 (b), 1 through 3: "(b) The Legislature declares it to be the policy of the State of California that: (1) Each State agency must maintain effective systems of internal accounting and administrative control as an integral part of its management practices. (2) The systems of internal accounting and administrative control of each state agency shall be evaluated on an ongoing basis and, when detected, weaknesses must be promptly corrected. (3) All levels of management of the State agencies must be involved in assessing and strengthening the systems of internal accounting and administrative control to minimize fraud, errors, abuse, and waste of government funds."

Per program directive C04, Case Conference Requirements For Inmates That May Be Placed Into Higher Custody Due To Program Failure, dated April 2005: "In order for an inmate to be considered a program failure, she must have engaged in a continuing and escalating pattern of disciplinary violations or have failed to participate in programming for a substantial period of time."

The contract has a budget for program supplies and funds should be spent on program supplies, in order to allow the children living at the FFP to have playground equipment.

Per program directive D04, Child's Safety Issues, April 2005, Child Safety: "Each facility must provide a safe, clean, and stimulating environment in the daycare room . . . Age appropriate toys must be available."

Per program directive D04, Child's Safety Issues, April 2005: "All childcare workers, including inmate assistants, must be trained in Cardiopulmonary Resuscitation."

## RECOMMENDATIONS:

In order to meet the contract's requirements, Center Point should ensure that:

- Classes (content) required by the contract are available.
- The number of class hours required each week is available.
- Inmates are attending the classes offered.
- The supervised mother/child bonding class is instituted.
- Classes in recreational/relaxation training are being offered.
- All transition/aftercare planning is completed for all inmates.
- A case management team is formed and assigned to each inmate.
- Playground equipment and age appropriate toys are available for children living at the facility.
- All inmates working in daycare are CPR trained.
- Inmates working in childcare are supervised all of the time.

In addition, internal controls should be strengthened in the following areas:

- Sign-in sheets should contain starting and ending times.
- Programming files are difficult to follow. Center Point should use easily recognizable class titles that correspond with contract language.

## FINDING 4: Personnel

### Training

The contract calls for a minimum of 40 hours annual training. These specific topics must be covered:

- Assessment and program plan development.
- Parenting and child development.
- Women's health issues.
- Use of community resources.
- Substance abuse education.
- Dynamics of physical, sexual and emotional abuse.

New hires are to receive 40 hours of orientation training, of which no more than 20 hours may be on-the-job training. Of the topics listed above, Center Point was compliant in one area. Center Point gave a drug and alcohol course on June 5, 2007. A course on child development was given on May 29, 2007; however, the contract specifically called for parenting and child development, which does not meet that objective.

Per a review of the in-service training log, Center Point provided 34 of the 40 required training hours for the fiscal year, and they failed to meet objectives in five areas.



A cumulative listing of training per individual is not kept at the facility, nor is a master list (cumulative) on the staff showing the training status. In order to determine where an employee stands with regard to training hours, one would have to access the personnel file in San Rafael and add up course hours as shown on each roster. The auditors were unable to determine if each employee had met the required number of training hours.

CDCR is to provide a minimum of 12 additional hours training covering CDCR policy and procedures. According to the contract, CDCR training may include training on searches, drug detection, and discretionary decision-making. Per review of the in-service training log for the fiscal year, some of the facilitators of courses may not have had the expertise to teach the class. For example, the bookkeeper taught courses on disciplinary actions and inmate searches (a CDCR course). A Center Point administrator taught a course on medical/medication procedures, which should have been taught by a medical professional.

In an attempt to verify the 40 hours of orientation training for new hires, the auditors located a checklist in personnel files while in San Rafael; however, no details of courses (dates, times or sign-in information) or course content was found. Out of the 20 files reviewed, only 10 had completed the orientation hours. An incomplete roster (lacking supervisor signature) was in one personnel file.

## **TB Testing**

Annual TB testing is required of anyone working in a correctional institution. All current employees had a TB test in file. However, two former employees had TB tests that were dated after their hire date. An employee hired on April 4, 2007 had a TB test dated June 8, 2007. Another employee hired on September 13, 2007 had a TB test dated October 28, 2007. It is possible these two employees had a TB test from a previous employer, as many employees held similar positions in county programs. Nevertheless, there was no evidence in the file to verify a prior TB test. Four of the 20 former employees' files did not have evidence of a TB clearance.

## **Annual Performance Evaluations**

Of the 20 current employees, 19 had a current performance evaluation. Nine employees had hire dates in 2007; thus, they were not due for an evaluation.

Eight of the 20 former employees did not have a performance evaluation in the file or they did not have an evaluation for each year they were employed.

## **Miscellaneous**

Per the program directives, Center Point is required to submit a weekly staff sign-in roster to CDCR's WCSU. The staff members are to print their names legibly, sign the sheet, and show the actual hours of work. Sign-in sheets are maintained at the facility; however, according to the Correctional Counselor (CC) II at WCSU, Center Point does not fax the sheets to the program as required.

## Staffing-Required Positions

The contractor shall recruit, hire, and retain qualified staff to provide 24-hour coverage, 365 days a year. The following is the contract budgeted staffing requirements and the current staffing:

Full Time Equivalent	Title	Hours Per Week	Current Employees
1	Program Director	40	1
1	Asst. Program Director	40	1
1	Clerical	40	1
1.5	LCSW	60	1
4	Substance Abuse Counselors	160	5 ( 1 on-call)
1	CDS	40	0
3.8	Childcare Asst.	152	3
2	Day Facility Managers	80	2 1
4.2	Evening Facility Managers	168	3
1	Vocational Counselor	40	1
1	Licensed Vocational Nurse 1	40	1
2.1	Cooks	84	1
1	Bookkeeper	40	1
1	Building Maintenance Specialist	40	1
1	Temporary Substance Abuse Counselor	40	1

1 - One day facility manger was fired on the last day of field work in San Diego

At the time of the fieldwork, Center Point had vacancies in the following classifications: LCSW; CDS; Childcare Assistant; Evening Facility Manager; and Cook.

The contract states that the LCSW must possess a valid license issued by the California Board of Behavioral Science (BBS). A registered intern may be used to fill the second position. The intern must be registered with the BBS, be eligible for supervised licensure status, and must be eligible for licensure within two years. Furthermore, the contract states that a full-time licensed professional must fill one of the two social worker positions.

A requirement of the Penal Code is, "An ability to provide intensive supervision of the program participants to ensure complete daily programming." Thus, a LCSW is the most crucial position to this program from a therapeutic point of view. Center Point has been out of compliance for 17 months. The one licensed individual (Licensed #A) Center Point hired within this period worked only 25 days.

The following table illustrates the LCSW/MFT intern positions:

Month/Year	Employee	Employee
July 2006	Intern #1	
August	Intern #1	
September	Intern #1	
October	Intern #1	
November	Intern #1	
December	Intern #1	
January 2007	Intern #1	
February		
March	Licensed # A	Intern #2
April		Intern #2
May		Intern #2
June		Intern #2
July	Intern #3	
August	Intern #3	
September	Intern #3	
October	Intern #3	
November	Intern #3	

The interns are supervised by a former FFP employee located in Rancho Bernardo (20 miles one-way from FFP). The Audits Branch verified with the BBS that she is a licensed MFT.

The acting supervisor does not go to the facility; interns are required to go to her office. While the Audits Branch was unable to speak with this person directly, the Audits Branch questioned the current MFT intern #3 on her supervision. Intern #3 stated she works directly with inmates approximately 15 hours per week, and she meets with the supervisor for 1½ hours per week. This meets the BBS's requirements. Nonetheless, CDCR is paying a substance abuse program to be administered, in part, by licensed professionals, which is not occurring.

The CDS is another crucial position for this program. The former specialist had her gate clearance pulled by CDCR, as she is under investigation by the San Diego Police Department for alleged child abuse/neglect. Per review of her personnel file, it was found that she did not meet the qualifications for this position.

The contract specifically states the employee should have a valid credential in Early Childhood Development or a permit authorizing public school service in California. A Masters Degree or equivalent in Child Growth and Development, Early Childhood Education, Social Work, or a related subject with emphasis in childhood development may be substituted for the credential requirement.

The former employee did not even meet the qualifications for an Associate Degree, although she told Center Point in her interview that she did. She did possess a Child

Development Master Teacher Permit issued on September 8, 2003 (she was hired September 13, 2003). To qualify for this permit, one must have either:

Twenty-four semester units of early childhood education;  
Sixteen semester units in general education;  
Six units in one area of specialty;  
Two semesters of adult supervision course work;  
Three hundred fifty days of experience in the last 4 years; or

A bachelor's or higher degree with:  
Twelve semester units in early childhood education; and  
Three semester units supervised field experience.

Of the 20 current employee files reviewed, seven people were hired without meeting the qualifications for their positions (not including the CDS). Those not meeting the qualifications are in the following positions: Day Facility Manager; Evening Facility Manager; Substance Abuse Counselor; and Childcare Assistant.

It was discovered that one of the day facility managers, who did not meet the qualifications for the position, was one of the first graduates of the San Diego FFP. The auditors found evidence of disciplinary issues with this employee. During a routine medical appointment trip from the facility, the employee in question allowed the following:

- Inmates to enter a convenience store without supervision, where women either stole gum and candy or talked a customer into purchasing for them.
- Asked and obtained cigarettes from store patrons.
- Exchanged phone numbers with male customers at the store.
- The employee purchased a cup of coffee and shared it with inmates.

According to a disciplinary memorandum, the employee told the inmates they were “off the hook” regarding their behavior. When questioned by Center Point managers, the employee did not deny the allegations and she readily admitted that she has poor boundaries and she often makes decisions based on what it is like to be a client. Furthermore, the disciplinary memorandum stated that the above behavior is not unusual as the employee routinely showed a disregard for CDCR rules, directives, policies, and procedures. The contract prohibits employees from over familiarization and fraternization with FFP inmates.

Additionally, the CC III issued a written warning to this employee when she allowed inmates to leave the facility without approval. The inmates were out on a pass, returned to the facility, and were processed back in. The inmates claimed they left their property in the park across the street. The day facility manager allowed the inmates to leave the facility, unsupervised and without the CC's III approval. The CC III reminded the employee in the warning that inmates were not permitted to leave the grounds without his written consent.

Center Point fired other employees with less egregious offences than the above. Center Point is reluctant to fire this employee even though she holds a key position with important responsibilities.

An employee hired in August 2007 as an evening facility manager (on-call) did not meet the qualifications for her position. The contract requires a recognized certificate in substance abuse counseling or two-year professional experience providing substance abuse counseling to recovering addicts. The employee has no experience in substance abuse counseling or training. On November 2007, Center Point requested approval from WCSU to move the employee from evening facility manager to childcare assistant full time. WCSU approved the transfer; however, WCSU does not review resumes or job applications. The job requirements for childcare assistant are a high school diploma/GED and a minimum of one-year experience working with children. This employee does not meet the qualifications, as she has no documented experience working with children.

Another childcare assistant (a position for which she was qualified) was moved to evening facility manager in November 2007. Approval was granted; however, a person in this position must be trained in substance abuse counseling. The employee has no experience or training in this area.

An employee hired in 2002 as a part time substance abuse counselor also did not meet the contract qualifications. Her resume stated her objective was admission specialist (a position that does not exist in the FFP); however, her job application indicated her desired position was counselor. She had no experience and/or training for substance abuse counseling. Her application showed experience in customer service, benefits specialist, and as a certified nursing assistant. Although this employee has been in this position since 2002, she has not become certified as a substance abuse counselor.

Another employee hired as an evening facility manager stated she wanted a job in childcare or “anything available.” As previously stated, evening facility managers are required to have training in substance abuse counseling. The employee’s resume reflected experience as a stock clerk, cashier, and an elementary school playground supervisor. The employee does not meet the required qualifications.

Another evening facility manager sought a drug and addiction counselor position. Based upon her resume, she does not qualify for the facility manager position or the drug counselor position. She has training and certification as a drug-testing technician, as she was required to take urinalysis samples for a previous employer. While some of her experience is relevant to the duties of an evening facility manager, she does not have the required education/training in substance abuse counseling. She also disclosed that she had a conviction for a DUI. Center Point’s staff did not make notations on the file as to when the DUI took place. Evening facility managers must be able to transport inmates. If her DUI was in the last five years, she would be contractually ineligible to drive.

## **Contractually Required Job Duties**

According to the April 2007 monthly report submitted by Center Point to the WCSU, the CC II made a visit to the facility to inspect personnel files. The auditors confirmed this fact with the CC II in an e-mail dated December 11, 2007. The CC II stated that the files were located at the FFP's Facility Director's Office in San Diego.

The sergeant with the San Diego Police Department also told the Audits Branch that Center Point's personnel files were kept in the program director's office. The sergeant performed a cursory review of the files on July 9, 2007.

Center Point's administrator told the auditors at the beginning of fieldwork that no personnel records were kept in San Diego. The administrator said all personnel files were kept at the corporate office in San Rafael. Center Point was asked questions regarding training records, DMV information, annual performance reviews, emergency contacts, and other pertinent information necessary for managing staff on a daily basis. The auditors were informed that these documents/records are maintained in the personnel files in San Rafael.

The contract states the day facility manager shall: "Ensure that all required information for personnel records is completed and maintained in order and on-site in the FFP" and "...coordinate scheduling and documentation of training for the facility staff." Relocating the personnel files 500 miles from the facility hampers the employee from fulfilling her duties and is not in compliance with the contract.

According to the new program director at the time of the audit fieldwork, Center Point had not given her a copy of the contract even though her job description states her job is to ensure compliance with contract requirements.

The former CC III told the Audits Branch during a telephone interview that none of the past five program directors received a copy of the contract from Center Point, and that he provided the program directors with copies of the contract.

Of the former employee files reviewed, the Audits Branch found the following:

- Four employees hired did not meet the minimum qualifications for the job (including CDS).
- Two employees whose jobs required a valid driver's license only had a California identification card.
- One employee acting as a driver had an "at fault" accident in 2005, which she disclosed during the hiring process.

## **CRITERIA:**

Per contract number C05.002, Exhibit A. d. 2: "A minimum of 40 hours of annual training shall be provided to facility staff."

All newly hired staff will be provided with a minimum of 40 hours orientation....training must be provided in the following areas:

- Assessment and program plan development
- Parenting and child development
- Women's health issues
- Use of community resources
- Substance abuse education
- Dynamics of physical, sexual and emotional abuse

The Department of Corrections and Rehabilitation (DCR) shall provide a minimum of 12 additional hours training including DCR policies and procedures....training might include...drug detection and discretionary decision-making. The contractor shall maintain individual training records demonstrating compliance.”

Strong internal controls dictate that logical, readable files with a comprehensive tracking system should be used to ensure employee-training requirements.

Per contract number C05.002, Exhibit D, 25: “Employees who are assigned to work with inmates on a regular basis shall be required to be examined or tested or medically tested for TB.”

Per Center Point, Personnel Policies Manual, August 2004, page 44: “New employee’s performance will be reviewed quarterly with an initial evaluation conducted following six months of hire, and annually thereafter.”

Per program directives B07, Weekly Staff Sign-in Roster Requirements, April 2005: “The program director is to ensure that a copy of the previous week’s sign-in sheet is faxed to WCSU every Monday by 1000 hours . . . staff is to be advised to print their names legibly, sign the sheet, and the actual hours of work . . . the sign-in sheet will be used to obtain meaningful information about staff coverage and monitor contract compliance.”

Per contract number C05.002, Exhibit A, D. 1: “The contractor shall recruit, hire, and retain qualified staff....the number of staff job classifications, job descriptions, duty statements, and established minimum requirements have been clearly specified on the following pages and must be adhered to for every position.”

Per contract number C05.002, Exhibit A, D. 1, (c): “LCSW. Qualifications: possession of a valid license as a LCSW issued by the California BBS Examiners. Registered Intern with BBS, eligible for supervised licensure status and must be eligible for licensure within two years...NOTE: a full-time licensed professional must fill one of the two Social Worker positions.”

Per California Penal Code, Section 1174.2, 1 (G) states that service providers must demonstrate: “An ability to provide intensive supervision of the program participants to ensure complete daily programming.”

Per contract number C05.002, Exhibit A, D, 1. (e): "CDS. Qualifications: Possession of a valid credential in Early Childhood Development or a permit authorizing public school service in California. A Masters Degree or equivalent in Child Growth and Development, Early Childhood Education, Social Work, or a related subject with emphasis in childhood development may be substituted for the credential requirement."

World Wide Web address:<http://www.ctc.ca.gov/credentials/CREDS/child-dev-permits.html>: "Child Development Master Teacher. To qualify for this permit, one must have either

Twenty-four semester units of early childhood education;  
Sixteen semester units in general education;  
Six units in one area of specialty;  
Two semesters of adult supervision course work;  
Three hundred fifty days of experience in the last 4 years; or

A bachelor's or higher degree with:  
Twelve semester units in early childhood education; and  
Three semester units supervised field experience.

Per contract number C05.002, Exhibit A, D, 1 (g) Job Duties for Day Facility Manager, 3: "Coordinate scheduling and documentation of training for facility staff" and "Ensure that all required information for personnel record is completed and maintained in order and on-site in the Family Foundation Facility."

Per contract C05.002, Exhibit A, D, 1 (a), Job Duties for Program Director: "Ensure compliance with contract requirements."

## **RECOMMENDATIONS:**

To ensure contract compliance, the Audits Branch recommends that Center Point:

- Meet annual training requirements.
- Meet new employee training requirements.
- Institute a spreadsheet system to accurately track training hours.
- Create a system to reflect pertinent information on new employee training. The system should capture: dates, times, and sign-in information for verification.
- Use subject matter experts to teach training classes. This will ensure relevant and accurate information is delivered to staff.
- Ensure TB testing is met. Standardize TB testing to a specific month each year as the CDCR does. Require that all new staff comply with the schedule even if recently tested, in order to make standardization more efficient and effective.
- Create a spreadsheet with employee data to ensure annual performance evaluations are not over-looked.
- Fax the WCSU each week a detailed staff roster with time keeping information.
- Fill vacant positions in an expeditious manner.
- Hire individuals with the appropriate credentials.



- Ensure all new hires meet minimum job qualifications.
- Terminate staff with a documented history of egregious CDCR policy and rule violations.
- Verify and document any DMV violations that would prohibit staff from transporting inmates and children.
- Maintain all FFP related documentation at the facility such as:
  - Personnel records
  - Training records
  - DMV information
  - TB testing

Employees must have access to this information in order to perform their job duties. Additionally, all records pertaining to the FFP must be on site should CDCR staff, acting in an official capacity, want to review these records.

## **FINDING 5: Medical**

### **Women's Medical Treatment**

The hub institution for the FFP is the CIW. CIW provides routine medical care for inmates; women see local providers for emergency services only.

CIW is located in Corona, California, which is 99 miles one way from San Diego. In traffic, this drive could take upwards of 2 hours. CIW is a prison, thus inmates must go through receiving and release. Inmates are stripped, searched, and issued clothing to wear while on grounds. Once processed, inmates must be escorted by custody while inside the prison, creating additional time delays.

Inmates receiving routine care at the clinic are placed at the top of the list and are seen before CIW inmates. The clinic does not make appointments. Specialty clinics (mental health, dental, laboratories, etc.) set specific appointment times for inmates.

A trip to CIW usually involves more than one inmate. Each inmate may have a different reason for the trip (i.e., one seeing a psychiatrist, one for routine care, and another for appointment with a dentist). Inmates requiring lab work must stay on the grounds until the test results are known. Thus, a trip to CIW for a dental appointment at 10:00 a.m. for one inmate could result in a daylong trip, as the group must wait for all inmates to finish before returning to San Diego.

On a recent tour of CIW, the chief psychiatrist expressed his concerns with the continuity of mental health care the inmates were receiving. He said inmates receive treatment at CIW for the drug portion of therapy only. The doctor's philosophy is to treat the whole person. Inmates should be seeing a psychologist for talk therapy in conjunction with their medications. However, psychologists are not treating FFP inmates. Furthermore, he said inmates on psychotropics should be evaluated more frequently than they are currently (especially those with new prescriptions).

The doctor told the auditors that there is a parole outpatient clinic with mental health professionals 1½ blocks from the FFP. He was puzzled as to why inmates are not treated there.

A staff psychiatrist expressed his concerns regarding inmates who are treated by local physicians. The doctor said many times inmates are prescribed medications from outside practitioners (not CIW staff), thus there are no notations in their CDCR medical file. The doctor said this is problematic for two reasons. First, inmates could have drug interactions. Problems such as this could lead inmates to stop the medications prescribed by CDCR doctors.

Second, he expressed concerns about inmates who manipulate outside doctors into prescribing the inmate's drug of choice. For example, an inmate will go to the doctor complaining of back pain. The inmate tells the doctor they have bad reactions to Vicodin and codeine etc., so the only drug the doctor can prescribe is morphine. The doctor said inmates know exactly what to say to influence a doctor's decisions.

According to the monthly report submitted to WCSU for September 2007, there were 118 medical appointments (this includes children). This month may have been higher than normal; however, with this type of volume, the idea of maintaining a programming schedule is difficult. Pregnant women and nursing mothers require more medical care than the general population. Compounding the problem is the fact that inmates in the FFP have a history of substance abuse, making them more susceptible to health problems than the normal population.

The medical system currently in place is burdensome and disruptive to daily schedules. It is unrealistic to expect the FFP to have a lasting impact on inmates when a good portion of their time is spent traveling to, or receiving, medical attention.

## **Children and Medical Treatment**

Center Point is currently under investigation by the San Diego Police Department for felony child abuse/neglect. Most of the allegations stem from delayed access to medical care. Center Point employees are alleged to have made poor judgment calls on emergency medical treatment. Additionally, one child was given a prescription for an expensive antibiotic medication that Center Point allegedly refused to have filled claiming the child did not have medical insurance (either private or government assistance).

According to an article in the New York Times: “. . . children were denied hospital visits and medications, and . . . no one kept adequate records of accidents involving injuries that included a skull fracture and a broken collarbone.”

A sergeant with the San Diego Police Department told the auditors that computers, laptops, and boxes of records were removed from the facility on July 9, 2007. Center Point's monthly reports to WCSU confirm this fact.

During interviews conducted by the auditors, the inmates that transferred to the Fresno FFP from the San Diego facility claimed the following:

- If you were not pushy, your kids were not seen or received good medical care.
- Center Point staff determined a child did not need medical treatment after he had an accident, which pushed his toenail up. The mother knew the toenail would come off and worried about infection.
- The Child Care Specialist dictated when kids received medicines.
- An inmate said she was forced to sign an IOU to Center Point because her son did not have medical coverage.
- One inmate claimed her child's medical records were lost.
- An inmate claimed a Center Point executive refused to buy Gatorade for an inmate's child even after a doctor wrote a prescription for it.

The investigation of Center Point for felony child abuse/neglect is beyond the scope of this audit. The investigation also alleges improprieties involving medical records and procedures. The Audits Branch is uncertain as to the extent of the files removed due to the search warrant, preventing the Audits Branch from making recommendations at this time.

#### **CRITERIA:**

Per contract number C05.002, Exhibit A. 10: "The contractor is to schedule all transportation needs in a manner that is not disruptive to core programming and is an efficient use of staff time."

#### **RECOMMENDATIONS:**

WCSU should contract with local providers for all medical care. In doing so, inmates would receive a continuity of care. Additionally, mothers could spend more time programming and bonding with their children.

# OBSERVATIONS AND RECOMMENDATIONS

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## **OBSERVATION 1: Safety and Security**

The Audits Branch learned that the philosophy for discipline is to punish the entire community for the acts of one. Center Point employees concurred saying this encourages community building and responsibility to others. However, in this particular setting there are children involved. The children living at the FFP are not prisoners. Children's activities should not be limited or taken away due to the actions of inmates. For example, television and/or movie watching are often suspended as a punishment. Moreover, one FFP employee said management repeatedly threatened to cancel Halloween festivities due to the actions of a few inmates.

### **CRITERIA:**

It would be logical to punish only those who deserve punishment; moreover, the acts of an adult should not result in the children being punished.

### **RECOMMENDATIONS:**

- Inmates who violate FFP policy should be punished, not the entire community.
- Avoid instituting punishment for an adult which affects children.

## **OBSERVATION 2: Facility Operations**

### **FFP Menu Selections**

Inmates and children are to receive three wholesome meals a day, two of which must be hot meals. The Audits Branch learned that while portions were plentiful, the variety of foods served was not. Furthermore, many entrees were spicy (such as stuffed bell peppers), which is disagreeable to pregnant or nursing women and children. The Audits Branch was told there were no alternatives on the nights a spicy dish was served. According to the FFP Orientation and Rule Book produced by Center Point, children would be served the same food as the adults.

### **CRITERIA:**

Per contract number C05.002, Exhibit A, 9.d., page 32: "Inmates and children at FFP must receive three wholesome, nutritionally balanced meals on a daily basis (two of which must be served hot)."

Per the FFP Orientation and Rule Book produced by Center Point, revised June 3, 2005, B, 8, page 12: "Solid food will consist of the adult menu pureed or mashed."

## **RECOMMENDATIONS:**

Serve food appropriate for pregnant or nursing women and young children. Offer an alternative main course on nights when the general population is served a spicy dish.

### **OBSERVATION 3: Programming**

#### **Graduating from the Program**

The Center Point program has four phases: Candidate; Support; Positive Support; and Reentry.

Inmates move through the phases by demonstrating to the community that they are ready to move on. The community, coupled with the counselor/facilitator, listens to inmates' written papers read aloud. Inmates can "shoot down" a paper of their peer. They can require a re-write or require additional information be added. Moreover, inmates said that an unpopular inmate could have a difficult time should the house decide they want to shoot down their papers.

The Audits Branch recommends that Center Point reconsider this philosophy. Papers should be read aloud and open for feedback by the house; however, only trained counselors should make decisions. While the contract does not specify that counselors grade inmates' papers, established business practices (within academia and business (both government and private industry)) show that those with superior training and authority are called upon to make decisions over subordinates, not one's peer group.

The California Code of Regulations and the contract require a case management team for each inmate. Center Point staff told auditors the only time an inmate was discussed in a round table forum was for disciplinary issues.

#### **Contractually Required Classes**

##### **Twelve Step**

A Twelve Step class sign in sheet was in Center Point's records. However, during fieldwork, the Audits Branch was unable to speak with the facilitator of the class.

Inmates told the Audits Branch that Center Point only offered the talk portion of the Twelve Step Program. The actual steps were not performed. All of the inmates the Audits Branch interviewed concurred. Moreover, all of the inmates interviewed expressed the desire to participate in the steps. Inmates said Center Point refused to offer the step program as Center Point gives their own 20-step program.

## **CRITERIA:**

Per the Family Foundations Orientation and Rule Book revised June 3, 2005, page 4: "You are expected to move through four phases during your 12-month stay: candidate, support, positive support, reentry."

Per the Family Foundations Program core treatment assignment directions: "Papers may be (shot down) by group member, requiring the client to either re-write) the entire paper or do an (add-on)."

Per the California Code of Regulations, Title 15, Article 6.1, Section 3074.3 (j): "Each participant shall be assigned a case manager and casework team . . . the casework team will manage the participant's intake, orientation and treatment program for the duration of the 12 months." And contract number C05.002, Exhibit A, C. (k): "The case manager will meet individually with each woman at least once weekly."

**RECOMMENDATIONS:**

- Counselors, not inmates, determine when an inmate has sufficiently completed an assigned task and is ready to advance.
- The complete Twelve Step Program should be available to the women.

## GLOSSARY

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<b>BBS</b>	California Board of Behavioral Science
<b>CC</b>	Correctional Counselor (II or III)
<b>CDCR</b>	California Department of Corrections and Rehabilitation
<b>CDS</b>	Child Development Specialist
<b>CenterPoint</b>	Center Point, Inc.
<b>CIW</b>	California Institution for Women
<b>CPR</b>	Cardio Pulmonary Resuscitation
<b>DCR</b>	Department of Corrections and Rehabilitation
<b>DMV</b>	Department of Motor Vehicles
<b>DUI</b>	Driving Under the Influence
<b>FFP</b>	Family Foundations Program
<b>FY</b>	Fiscal Year
<b>LCSW</b>	Licensed Clinical Social Worker
<b>MFT</b>	Marriage and Family Therapist
<b>OAC</b>	Office of Audits and Compliance
<b>RFP</b>	Request for Proposal
<b>TB</b>	Tuberculosis
<b>WCSU</b>	Women and Children's Services Unit